Appl. No.: 10/604,551 Amdt. dated April 7, 2005

Reply to Office action of June 24, 2005

#### **REMARKS**

This Amendment is filed in response to the Office Action dated June 24, 2005. Applicant first notes with appreciation the Examiner's thorough examination of the application. In response to the Office Action, Applicant has canceled claims 35 and 38-39 and amended Claims 33, 36, and 43. Following these amendments, the application now includes Claims 11, 23, 26, 27, 33, and 36, 37, 40-47, with Claims 11, 23, 33, 36, and 43 being independent. Applicant respectfully submits that the pending claims are patentable and request reconsideration in light of the remarks below.

# I. Claims 11, 23, 26, 27, 33, and 35-47 Are Allowed

Applicant notes with appreciation the Examiner's indication that Claims 11, 23, 26, 27, 33, and 35-47. Applicant notes that Claim 35 has been canceled.

### II. Objections to the Claims

The Examiner raised objections to Claims 33, 36, and 35. Applicant has amended Claims 33 and 36 to address the antecedent basis issues. Claim 35 was canceled. Applicant respectfully submits that the claims as amended are now in proper form.

## III. Claims 36, 37, 40-47 Are Patentable

The Office Action rejects claims 36-38 and 40-47, but indicates that Claim 39 includes patentable subject matter. Applicant has amended independent Claim 36 to include the recitations of Claims 38 and 39 and Claim 43 to include the recitations of Claim 39. Applicant therefore respectfully submits that independent Claims 36 and 43, as well as the claims that depend therefrom, are patentable.

#### CONCLUSION

In view of the amended claims and the remarks presented above, it is respectfully submitted that all of the present claims of the application are in condition for immediate allowance. It is therefore respectfully requested that a Notice of Allowance be issued. The

Appl. No.: 10/604,551 Amdt. dated April 7, 2005

Reply to Office action of June 24, 2005

Examiner is encouraged to contact Applicant's undersigned attorney to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

W. Kevin Ransom Registration No. 45,031

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Tradenark Office Fax No. (571)

273-8390 on the date shown below.

W. Kevin Ransom

CLT01/4750458v1